



**IN THE CLAIMS:**

Please amend the claims as follows:

1. (Original) A combustion-operated setting device for driving fastening elements such as nails, bolts and pins into a substrate, with a combustion chamber (12) that has at least one combustion chamber outlet (13) and in which a fuel gas mixture can be ignited for driving a driving piston (16) guided in a piston guide (17), and with a locking and unlocking mechanism (20) for unlocking the at least one combustion chamber outlet (13) in the starting position (31) of the driving piston (16) and for locking the at least one combustion chamber outlet (13) outside of the starting position (31) of the driving piston (16), wherein the locking and unlocking mechanism (20) has a magnet (21) for detecting the driving piston (16) in the starting position (31).

2. (Original) The setting device of claim 1, wherein the locking and unlocking mechanism (20) contains a swivelable locking device (22) that cooperates with the magnet (21) and is swiveled into an unlocked position (23) for the combustion chamber outlet (13) in the starting position (31) of the driving piston (16) by the magnet (21) and is in a locked position (24) for the combustion chamber outlet (13) when the driving piston (16) is not in its starting position (31).

3. (Original) The setting device of claim 2, wherein the magnet (21) is arranged at the locking device (22) and cooperates magnetically with the head (16.1) of the driving piston (16) located in its starting position.

4. (Original) The setting device of claim 3, wherein an armature (16.2) for the magnet (21) is arranged at the driving piston (16) at the side of its head (16.1) facing the combustion chamber (12).

5. (Original) The setting device of claim 3, wherein the locking device (22) is constructed as a springing-elastic clip that is fixed in a stationary manner by one end (22.1) to a structural component part of the setting device (10) and is provided at its free end (22.2) with a lock member (22.3) that cooperates with a counter-lock (25) in the locked position (24) of the locking device (22), the locking device (22) being resiliently pretensioned in a direction of its unlocked position by the spring force (22.4).

6. (Currently Amended) The setting device of claim 2, wherein ~~the a~~ stationary end (22.1) of the locking device (22) is fixed to an end of the piston guide (17) facing the combustion chamber (12) and the counter-lock (25) is arranged inside at the combustion chamber wall (12.1).

7. (Original) The setting device of claim 6, wherein an arrangement is provided for compulsory unlocking of the locking and unlocking mechanism (20) by which the locking and unlocking mechanism (20) can be moved into the unlocked position (23) in a defective state of the piston.

8. (Original) The setting device of claim 7, wherein the arrangement for compulsory unlocking is formed by an at least partial rotatability (26) of the combustion chamber wall (12.1) around the setting axis (30) of the setting device (10).

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